

Application No.: 10/087,127

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Docket No.: 488422000600

**REMARKS**

Claims 1-32 are pending in this application. The Office Action set forth a restriction requirement between the following groups:

Group I: Claims 1-14, drawn to a stent delivery assembly, classified in class 606, subclass 194; and

Group II: Claims 15-32, drawn to a method of delivering a stent in a body organ, classified in class 623, subclass 1.11.

Applicants provisionally elect Group I, claims 1-14 with traverse, as indicated below. Applicants expressly reserve the right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application.

In addition, the Office Action sets forth an election of species requirement as follows:

- Species 1: Figs. 1A, 2-3
- Species 2: Figs. 1B, 5
- Species 3: Fig. 4
- Species 4: Figs. 6A-6C
- Species 5: Figs. 7A-7C

Applicants provisionally elect Species 1: Figs. 1A, 2-3 with traverse. This election is readable on claims 1-3 and 7-12.

The election of Group I and Species 1 is made with traverse on the basis that a search inclusive of claims 1-32 does not impose a serious search burden on the Examiner. *See* MPEP 803. Applicants submit that a search for art describing a stent delivery assembly having an elongate wire

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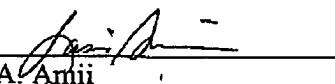
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and a radially expandable stent on the distal end of the wire will inevitably also encompass art describing variations of the wire. Likewise, a search directed to radially expandable stents almost certainly will also encompass art describing methods of delivering the stent in a hollow body organ in the same publication. Accordingly, Applicants submit that claims 1-32 should be examined together.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 488422000600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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